

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3, 5-12, and 14 are presently pending in this case. Claims 1 and 7 are amended and Claim 13 is canceled without prejudice or disclaimer by the present amendment. As amended Claims 1 and 7 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, Claims 1, 2, 5, 7, 8, 10, and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Fleck et al. (U.S. Patent No. 6,977,811, hereinafter “Fleck”) in view of Roylance (U.S. Patent Application Publication No. 20010013859) and further in view of Harada et al. (U.S. Patent No. 6,072,476, hereinafter “Harada”); Claims 3 and 9 were rejected 35 U.S.C. §103(a) as unpatentable over Fleck in view of Roylance and Harada and further in view of Boehme et al. (U.S. Patent No. 6,512,670, hereinafter “Boehme”); Claim 6 was rejected 35 U.S.C. §103(a) as unpatentable over Fleck in view of Roylance, Harada, and Boehme and further in view of Bhatia (U.S. Patent No. 6,288,895); Claim 11 was rejected 35 U.S.C. §103(a) as unpatentable over Fleck in view of Roylance and Harada and further in view of Bhatia; Claim 13 was rejected 35 U.S.C. §103(a) as unpatentable over Fleck in view of Roylance and Harada and further in view of Nakae et al. (U.S. Patent Application Publication No. 20040166829, hereinafter “Nakae”); and Claim 14 was rejected 35 U.S.C. §103(a) as unpatentable over Fleck in view of Roylance and Harada and further in view of Bertram et al. (U.S. Patent No. 5,198,802, hereinafter “Bertram”).

With regard to the rejection of Claims 1 and 7 as unpatentable over Fleck in view of Roylance and further in view of Harada, that rejection is overcome by the addition of the subject matter of Claim 13 to Claims 1 and 7. The rejection of Claim 13 as unpatentable over

¹See, e.g., Figure 1.

Fleck in view of Roylance and further in view of Harada and further in view of Nakae is respectfully traversed with respect to amended Claims 1 and 7.

Amended Claim 1 recites in part:

a display;
a main unit provided with a keyboard having a plurality of operation keys including an enter key;
a pointing device configured to move a pointer appearing on the display in a desired direction;
a plurality of cursor keys configured to move a cursor appearing on the display in predetermined directions, the cursor keys being arranged near the pointing device, the cursor and the pointer being different objects;
a confirmation button configured to confirm an item selected by said pointing device or said cursor keys, the confirmation button being positioned near said cursor keys; and
a switching button configured to rotate a display screen of said display by 90°,
wherein said pointing device, said plurality of cursor keys, and said confirmation button are positioned between said display and said keyboard, and ***said confirmation button, said switching button, and an auxiliary input button are arranged around an outer periphery of the cursor keys such that said confirmation button, said switching button, and the auxiliary input button surround the cursor keys.***

Fleck describes a keyboard with a mouse for handheld portable computer. With regard to Claim 13, the outstanding Office Action cited mouse button 300 of Fleck as “a confirmation button” and arrow buttons 302-308 of Fleck as “cursor keys,” asserting that mouse button 300 is “at a periphery” because it is not part of arrow buttons 302-308, despite the fact that it is surrounded by arrow buttons 302-308. However, amended Claim 1 recites that “said confirmation button, said switching button, and an auxiliary input button are arranged ***around an outer periphery*** of the cursor keys ***such that said confirmation button, said switching button, and the auxiliary input button surround the cursor keys.***” As noted above, arrow buttons 302-308 surround mouse button 300. Thus, not only does Fleck not teach the claimed feature, Fleck explicitly teaches the opposite. Further, to modify Fleck to add an additional confirmation button around an outer periphery of arrow buttons 302-308

would be contrary to the purpose of Fleck, which is to minimize the number of buttons on the keyboard.

Nakae describes a cell phone including keys 14a, 14c, 14e, 14g, and 14h that surround navigation key 14b, which surrounds OK key 14d. OK key 14d confirms an element selected by a cursor. Thus, Nakae also specifically describes that a button that confirms an element selected by a cursor should be surrounded by navigation keys, and not the opposite. Thus, not only does Nakae not teach the claimed feature, Nakae also explicitly teaches the opposite. Further, to modify Nakae to add an additional confirmation button around an outer periphery of navigation key 14b would be contrary to the purpose of Nakae, which is to minimize the number of buttons on the cell phone. Therefore, there can be no suggestion or motivation to modify Fleck and Nakae as proposed to create the claimed invention.

Consequently, as the proposed combination does not describe a confirmation button, a switching button, and an auxiliary input button arranged around an outer periphery of cursor keys such that the confirmation button, the switching button, and the auxiliary input button surround the cursor keys, and there is no suggestion or motivation to modify the cited references to create the claimed invention, amended Claim 1 (and Claims 2, 3, 5, 6, 12, and 14 dependent therefrom) is patentable over the cited references.

In a similar manner, amended Claim 7 (and Claims 8-11 dependent therefrom) is also patentable over the cited references, as the proposed combination does not teach or suggest “said confirmation means, said switching means, and auxiliary input means are arranged around an outer periphery of the cursor moving means such that said confirmation means, said switching means, and the auxiliary input means surround the cursor moving means” as defined in amended Claim 7, and there is no suggestion motivation to modify the proposed combination to include this feature.

With regard to the rejection of Claims 3 and 9 as unpatentable over Fleck in view of Roylance and Harada and further in view of Boehme, it is noted that Claims 3 and 9 are dependent from Claims 1 and 7, respectively, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Boehme does not cure any of the above-noted deficiencies of Fleck, Roylance, and Harada. Accordingly, it is respectfully submitted that Claims 3 and 9 are patentable over Fleck in view of Roylance and Harada and further in view of Boehme.

With regard to the rejection of Claims 6 and 11 as unpatentable over Fleck in view of Roylance and Harada and further in view of Bhatia, it is noted that Claims 6 and 11 are dependent from Claims 1 and 7, respectively, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Bhatia does not cure any of the above-noted deficiencies of Fleck, Roylance, and Harada. Accordingly, it is respectfully submitted that Claims 6 and 11 are patentable over Fleck in view of Roylance and Harada and further in view of Bhatia.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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